

Name: Matt Kowalski

Age/Grade Level: 11/12

Subject Area(s): civics/ language arts

Unit Title: Bill of Rights/ First Amendment Rights

Lesson Title: Understanding the First Amendment through reading a newspaper

Estimated Time: 55 minutes

**Purpose/Rationale for lesson:** To empower each student with knowledge of their basic rights as citizens of the United States. The students will gain a real world example of First Amendment and other personal rights by critically examining sections of a newspaper.

**Curriculum Framing Questions:**

Essential Question: Why are rights important?

Unit Question that applies to this lesson: Why are the rights protected under the First Amendment important in a democracy?

Lesson or Content Question(s): Does the freedom of the press provide the public with a watchdog for the protection of individual rights?

**Goal:** (broad general understanding or skill)

An understanding of the Bill of Rights, specifically the First Amendment, and the power it gives to an individual in the United States.

**Learning Objective(s):** (behavioral, observable, measureable)

-Students will demonstrate ability to read a news story and determine the impact of the story by locating articles that are critical of government and/or inform the public of governmental proceedings

-Students will gain a better understanding of the role of the press in a democracy by participating in the highlighting exercise listed below.

-Students will be able to use their knowledge of the first ten amendments to the U.S. Constitution, the Bill of Rights, to provide short concise answers to two of the four questions listed in the homework assignment

**Curriculum Standard(s):**

EL.HS.RE.01 Read at an independent and instructional reading level appropriate to grade level.

EL.HS.RE.03 Make connections to text, within text, and among texts across the subject areas.

EL.HS.RE.05 Match reading to purpose--location of information, full comprehension, and personal enjoyment.

SS.HS.CG.04.01 Understand how the Bill of Rights offers protection of individual rights and how rights are limited for the benefit of the common good.

**Materials Needed:**

A copy of a local or national newspaper for each student or per group, computer, overhead projector, highlighters

**Background knowledge or skills students' need prior to lesson:** The student should be able to read a newspaper and pick out the articles that relate to local, state, and/ or federal government. The student should have an understanding of the rights protected

under Bill of Rights from a previous lesson. The student should know who Thomas Jefferson is and why his opinion might be important. The student will have background knowledge of some court cases like *Hazelwood v. Kuhlmeier* from a previous lesson

**Hook or Introduction** to get students' attention and get them: Display a quote from Thomas Jefferson on the importance of freedom of the press in a democratic society and ask the class if anyone wants to explain who Thomas Jefferson is and why the quote might be on the board. If no takers, then give a brief analysis of the quote.

**"The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers and be capable of reading them." --Thomas Jefferson to Edward Carrington, 1787. ME 6:57**

**Procedures:**

--Start class with the hook as described above, the teacher will be at the blackboard or projector (5 minutes)

--Okay class now we are going to play a sort of refresher game!

--Instruct the students to form a line, and tell them that they will hear a set of questions. Each time a student can answer "yes" to a question, he or she will move a little forward. However, you must be ready to explain your answer further if called upon. If a student cannot answer the question they stay standing where they are.

Remind the students that there are no winners or losers to this game and that some questions do not have a "right" answer. Each statement should be followed by some time for random questioning of the students and time for those who did not have an answer (even if they moved forward) to write down some of the thoughts of their classmates. Here are some sample questions:

-Who knows which part of the Constitution includes the rights of the people?

-Who knows which Constitutional Amendment provides people with freedom expression?

-Who can tell me one right that people have in our country?

-Who can name at least two rights protected by the First Amendment?

-Who can name all five major rights protected by the First Amendment?

-Who can explain who the Bill of Rights protects people from?

- Who thinks there should be no limitations on these rights?
  - Who can name at least one exception to when the government can restrict or limit freedom of speech? e.g. defamation, commercial use, conflicts with national security
  - Who thinks freedom of the press is more important than the right to assemble?
  - Who thinks freedom of the press means that the press can write (or say) whatever it wants whenever it wants to?
  - Who can tell me what the terms libel and slander mean and how they limit freedom of press?
- (15-20) minutes

Okay everybody back to their seats and ask a student to turn down the lights so the focus turns to the overhead projector or projected computer screen. On the screen will be the directions for the next exercise (make sure they stay seated until all the directions are read and understood):

- I will divide the students into groups of 3-4
- Hand out the national, local, and international sections of the daily paper.
- Ask students to use a highlighter to indicate any articles in these two sections of the paper that contain criticism of local, state, and national government, government leaders or government policies and any that contain proposed changes of official people or positions.

Below is a sample of that I will show students on the overhead:

## Ethics Panel Outlines Charges Against Waters

By [ERIC LIPTON](#)

Published: August 9, 2010

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WASHINGTON — Representative [Maxine Waters](#) violated House rules by allowing her chief of staff to grant “special favors” to a struggling Massachusetts-based bank in which her husband owned stock, the House ethics committee charged in documents released Monday.

The ethics committee announced last week that it had found sufficient evidence to bring charges against Ms. Waters, Democrat of California. It put off the release of the formal allegations until Monday, as the accused is entitled to see them privately first.

Ms. Waters has vehemently challenged the charges, which included conduct that did not “reflect creditability on the House” and potential

financial gain “by virtue of influence improperly exerted from the position of such individual in Congress.”

The documents released Monday shift the focus of the case somewhat to Mikael Moore, who is her chief of staff and grandson.

An earlier investigation by the quasi-independent [Office of Congressional Ethics](#) — which serves like a grand jury on House ethics matters — had focused its criticism on a meeting Ms. Waters set up in September 2008 between OneUnited executives and the [Treasury Department](#), supposedly on behalf of a trade association of minority-owned banks.

The ethics committee cites this Sept. 9 meeting, which was dominated by OneUnited executives, who surprised Treasury officials by asking for a special \$50 million bailout to compensate the bank for stock losses incurred as a result of the government takeover of Fannie Mae and Freddie Mac, the housing finance companies.

The formal ethics charges against Ms. Waters result from Mr. Moore’s actions in the weeks after the Treasury meeting.

The documents say Ms. Waters knew as soon as this meeting ended that she had a conflict of interest. She admitted such a conflict in a conversation in early September 2008 with Representative [Barney Frank](#), Democrat of Massachusetts, the report notes, and Mr. Frank warned her to stay away from the matter. The bank, at that moment, was on the verge of collapse, meaning her husband would lose his investment, then worth about \$200,000, if the federal government did not intervene, the ethics documents say.

But, the complaint says, Mr. Moore then participated in meetings about a possible legislative solution to OneUnited’s losses on Fannie and Freddie stock, exchanged e-mails and calls with company executives and spoke with other Congressional staff members about the matter.

Mr. Frank, the chairman of the House Financial Services Committee, who had no financial relationship with OneUnited, took the lead in pushing the legislation, which ultimately became law.

But Mr. Moore played an inappropriate role, the ethics documents

say. “Mikael Moore was actively involved in assisting OneUnited representatives with their request for capital from Treasury and crafting legislation to authorize Treasury to grant the request,” the complaint says. It was Ms. Waters’s responsibility to direct Mr. Moore to stop any actions related to OneUnited, the complaint says, as each lawmaker “is responsible for the oversight and administration of her Congressional office.”

The involvement by Mr. Moore “created an appearance” that Ms. Waters took official action that benefited her family, resulting in her office “dispensing of special favors or privileges to OneUnited,” which has branches in Massachusetts, Florida and California. OneUnited ultimately received \$12 million from the Treasury bailout program known as TARP. And the bank, at least so far, has survived.

Mr. Moore declined to comment on the charges.

In her written response, Ms. Waters disputes that Mr. Moore provided “active assistance” to OneUnited.

Her lawyers called the charges ambiguous and convoluted, saying they were “exceedingly general allegations that are premised upon an unclear set of facts.”

Ms. Waters has made clear she intends to fight the charges, opting for a public trial by an ethics committee panel, which she has requested take place before the November election. No date has been set for the trial, in part because the ethics committee is also preparing for a trial against Representative [Charles B. Rangel](#), Democrat of New York.

A version of this article appeared in print on August 10, 2010, on page A15 of the New York edition.

--Discuss articles and any questionable articles that students marked, the teacher will walk from group to group and address these issues.

--Each group will briefly share with the class one or two of the articles they highlighted and explain which one of the requirements this article fulfills.

I will then ask them to if the paper would be as interesting or informative if the articles they highlighted were left out. We will explore this question as a class with the goal being to have them realize the importance of the free press as a monitor on government process. I will ask students to give a thumbs up/ thumbs down rating of the exercise. (20

minutes)

The class will return to their seats and the lights will be turned down again to focus the class on a list of questions on the projector

The questions will be:

-Have you ever known someone who was personally positively or negatively affected by an article printed in the newspaper? Did that change your opinion about freedom of the press? How so? Again I will refer to the above article or give a few other examples like a police blotter that caused a family member to lose a job or an article about that characterized someone you know in a different light than you usually think of them.

-How did any of these articles relate to other rights protected under the First Amendment or any other rights protected under the Bill of Rights?

-Why would it be important for a reporter/newspaper to maintain a credible reputation with their readers and sources of information?

-Find an example of a court case (not *Hazelwood v. Kuhlmeier*) that limited the expression of any freedom protected under the Bill of Rights and write a reaction to that judgment.

The student will choose any two of the questions/assignments and write a short response 1-2 paragraphs. The completion of this assignment will be homework I will inform the students that this assignment will be graded. (5-10 minutes)

**Differentiation/Accommodation** for diverse learners in your classroom. The student who has Aperger's will be given his own newspaper sections because he does not work well with groups and be able work with his paraeducator. The content is not out of his reach and he should be able to complete the homework. I will spend time with him individually as I am monitoring the group work. I will split the two ESL students into groups that can help them understand the newspaper exercise. I will place the Spanish speaker with one of the TAG students who can speak some Spanish. I will ask them the TAG student to read aloud and translate when needed to her group some of the articles they chose to highlight. The other ESL student, who is fairly proficient in English, will get into a group and I will monitor to see if she is understanding the material and can complete the work. A

**Attention to Literacy:** Read and interpret newspaper articles. Talk to students and ask questions. Read aloud.

**Closure:** After we go over the assignment for homework and students have written down all of the questions listed above, they will begin work on that assignment and there will be time to ask the teacher any questions. The students will leave class when the allotted time for class expires.

**Assessment and Evaluation of Student Learning:** I will informally assess the students understanding of the material as they participate in the step forward game and their group

assignment. I will grade their homework assignment based on a point system explained below and give them feedback for further reading and application to other contexts. A

Scoring Criteria for Homework: 5 points for answering two of the three questions as stated above. 5 points conventions such as spelling, grammar, complete sentences, and punctuation. And 5 points for the quality of the response, if it evidences a genuine understanding of the material.

### **References**

Step Forward Activity adapted from: Street Law Inc., <http://www.streetlaw.org/en/Page.Landmark.Hazelwood.act.stepforward.aspx>

Group newspaper analysis adapted from: The American Bar Association [http://www.abanet.org/publiced/lawday/schools/lessons/46\\_1stamend.html](http://www.abanet.org/publiced/lawday/schools/lessons/46_1stamend.html) who adapted it from *an article in Update on Law-Related Education, Vol. 11, No. 1, published by the American Bar Association. It was taken from the Utah Law-Related Education Elementary Lesson Plan Book, and is reprinted with the permission of the Utah Law-Related Education Program.*